



U.S. Department of Justice

Civil Division

Washington, D.C. 20530

BY ECF

July 18, 2025

Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Compliance With Judgment and Order,
Haitian Evangelical Clergy Assn., et al. v. Donald J. Trump, in his official capacity as President of the United States of America, et al., No. 25-CV-1464 (BMC) (E.D.N.Y.)

Dear Judge Cogan:

This letter responds to your Order entered July 15, 2025.

On July 17 and 18, 2025, the Department of Homeland Security posted, and then edited, public notice of this Court's final judgment on the U.S. Citizenship and Immigration Services (USCIS) website.¹ The USCIS website notice acknowledges the Court's issuance of a final judgment setting aside Secretary Noem's February 25, 2025, partial vacatur under 5 U.S.C. § 706(2).

The notice reflects that the Department of Homeland Security intends to comply fully with the Court's final judgment.² The notice acknowledges that the Court's judgment has the practical effect of "mak[ing] the effective date of any termination" of Haiti's designation for Temporary Protected Status (TPS) "no earlier than February 3, 2026."

To the extent the continued validity of Haitian TPS beneficiaries' Employment Authorization Documents (EADs) relies on a statement from USCIS acknowledging the court's judgment, the website notice accomplishes anything that is needed to permit TPS beneficiaries with nominally expired EADs to prove continuing work authorization through February 3, 2026. Such TPS holders can, as we previously explained, continue to prove work authorization by showing the nominally expired document and, as needed, the Court's order and the website. No Federal Register notice is necessary because the extension of validity of approved Forms I-821 (Application for Temporary Protected Status) and I-765 (Application for Employment Authorization) to February 3, 2026 relies on the 2024 Extension and Redesignation of Haiti for Temporary Protected Status, the partial vacatur of which this Court has set aside. *See Extension and Redesignation of Haiti for Temporary Protected Status*, 89 Fed. Reg. 54,484 (Jul. 1, 2024).

¹See <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti> (last visited July 18, 2025).

² Defendants reserve the right to seek relief on appeal.

Respectfully submitted,

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